

## **EMERGENCY RULE CHANGE**

### **LCrR 3.4**

#### **RULE 3.4 PRESENCE OF THE DEFENDANT**

(a) (1) [When Necessary] [Rescinded effective February 1, 2021].

**(b) When Necessary.**

(1) In addition to those hearings listed in CrR 3.4(b), as now or hereafter amended, there is good cause to require the defendant to be present physically or remotely (at the court's discretion) at the following hearings:

- (A) The defendant's motion to waive jury trial;
- (B) The defendant's motion for continuance of trial date and waiver of speedy trial rights;
- (C) Any hearing where the court is required to conduct a colloquy with the defendant;
- (D) Evidentiary hearings conducted pursuant to CrR 3.5 or CrR 3.6;
- (E) Readiness hearings, unless the defendant's counsel affirms, in writing or in open court (i) that the defendant has expressly chosen to appear through counsel, as allowed by CrR 3.4(a), and (ii) that counsel has affirmatively determined, through recent contact with the defendant, that the matter is ready to proceed to trial as scheduled or that a written motion for continuance approved by the defendant has been filed.

(2) When the court finds that the defendant's physical or remote appearance is required at a hearing pursuant to this section, the court will enter an appropriate order pursuant to CrR 3.4(d).  
[Amended effective February 1, 2021]